CLAIM AMENDMENTS

1. (previously presented) An isolated genomic nucleic acid molecule, said nucleic acid molecule obtainable from human chromosome 7 consisting of a nucleotide sequence selected from the group consisting of:

(a) a nucleic acid molecule of SEQ ID NO:8 which includes sequence encoding a polypeptide that has human adipocyte enhancer binding protein 1 activity;

(b) a fragment of (a) comprising at least nucleotides 1301-10893 of SEQ ID NO:8 which encodes a polypeptide having human adipocyte enhancer binding protein 1 activity and

(c) a nucleic acid molecule which is a complement of the polynucleotides specified in (a)-(b).

2. (previously presented) A nucleic acid construct comprising the nucleic acid molecule of claim 1.

3. (previously presented) An expression vector comprising the nucleic acid molecule of claim 1.

4. (original) A recombinant host cell comprising the nucleic acid molecule of claim 1.

Claim 5 (canceled)

6. (previously presented) A method for obtaining human adipocyte enhancer binding protein 1 comprising:

(a) culturing the recombinant host cell of claim 4 under conditions that provide for the expression of said human adipocyte enhancer binding protein 1 and

(b) recovering said expressed human adipocyte enhancer binding protein 1.

Claim 7 (canceled)

8. (currently amended) An isolated nucleic acid molecule consisting of a ~~fragment of the nucleic acid molecule of claim 1, said fragment comprising~~sequence of at least 20 contiguous nucleotides ~~identical to~~within an intron region of SEQ ID NO:8, or its complementary sequence.

9. (canceled)

10. (previously presented) A composition comprising the nucleic acid molecule of claim 1 and a carrier.

11. (previously presented) A composition comprising the nucleic acid molecule of claim 8 and a carrier.

Claims 12-13 (canceled)

14. (previously presented) A kit comprising one or more nucleic acid molecules of claim 8.

15. (previously presented) The kit according to claim 14, in which one or more of the nucleic acid molecules are optionally labeled with a detectable substance.

Claims 16-24 (canceled)

25. (withdrawn-currently amended) A method of identifying a nucleotide sequence variant of SEQ ID NO: 8 which encodes a polypeptide that has human adipocyte enhancer binding protein 1 activity, or its complementary sequence comprising

(a) isolating genomic DNA from a subject and

(b) determining the presence or absence of a variant in said genomic DNA using a nucleic acid molecule comprising at least 20 contiguous nucleotides of an intron region of SEQ ID NO:8 which encodes a polypeptide that has human adipocyte enhancer binding protein 1 activity, or its complementary sequence.

26. (withdrawn-currently amended) A method for detecting the presence or absence of a non-coding nucleic acid sequence specific to the nucleic acid molecule of claim 1 in a sample, said method comprising contacting a sample with a nucleic acid molecule comprising at least 20 contiguous nucleotides of an intron region of SEQ ID NO:8 which encodes a polypeptide that has human adipocyte enhancer binding protein 1 activity, or its complementary sequence.

27. (withdrawn-currently amended) A method of identifying a nucleotide sequence variant of SEQ ID NO:8 which encodes a polypeptide that has human adipocyte enhancer binding protein 1 activity, or its complementary sequence comprising

(a) isolating genomic DNA from a subject, and

(b) determining the presence or absence of a nucleotide sequence variation in said genomic DNA by comparing the nucleotide acid sequence of SEQ ID NO:8 which encodes a polypeptide that has human adipocyte enhancer binding protein 1 activity with the nucleotide sequence of the isolated genomic DNA of (a) and establishing if and where a difference occurs between the two nucleic acid sequences thereby identifying a nucleotide sequence variant of SEQ ID NO:8 which encodes a polypeptide that has human adipocyte enhancer binding protein 1 activity, or its complementary sequence.

28. (withdrawn-currently amended) The method of claim 27, wherein the presence or absence of a nucleotide sequence variation is determined in a 5'-noncoding region, 3'-noncoding region or intron region of SEQ ID NO: 8 which encodes a polypeptide that has human adipocyte enhancer binding protein 1 activity, or its complementary sequence.

29. (withdrawn-currently amended) A method of detecting the presence or absence of a polynucleotide having the nucleic acid sequence ~~set forth~~ depicted in SEQ ID NO:8 which encodes a polypeptide that has human adipocyte enhancer binding protein 1 activity or its complementary sequence in a sample, said method comprising

(a) contacting the sample with a nucleic acid molecule comprising at least 20 contiguous nucleotides of an intron region of SEQ ID NO:8 which encodes a polypeptide that has human adipocyte enhancer binding protein 1 activity, or its complementary sequence under stringent hybridization conditions and

(b) determining whether the nucleic acid molecule in (a) binds to a polynucleotide in the sample, wherein binding of a polynucleotide of the sample to the nucleic acid molecule of (a) detects the presence of a polynucleotide ~~comprising~~ having the nucleic acid sequence depicted in SEQ ID NO:8 which encodes a polypeptide that has human adipocyte enhancer binding protein 1 activity, or its complementary sequence.

30. (previously presented) The isolated nucleic acid molecule of claim 8, wherein said intron region is selected from the group consisting of the sequence of nucleotides between positions 9015-10,641, 8122-8672, 7932-8049, 7754-7859, 7554-7628, 6662-7475, 6452-6583, 6273-6375, 5456-6218, ~~5353054345~~5353-5434, 4834-5211, 4647-4749, 4407-4502, 4053-4319, 3707-3929, 3418-3508, 3001-3237, 2570-2650, 2305-2425 and 1967-2208 of SEQ ID NO:8, or its complementary sequence.

31. (currently amended) ~~An isolated nucleic acid molecule consisting of a fragment of the nucleic acid molecule of claim 1, said fragment comprising at least 20 contiguous nucleotides of an intron region of SEQ ID NO:8 or its complementary sequence, wherein said intron region~~ The isolated nucleic acid sequence according to claim 8, wherein the intron region is the sequence of nucleotides between positions 9015-10,641 of SEQ ID NO:8, or it complementary sequence.

32. (canceled)